

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN PLACE OF USE AND POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves TRANSFER 6431 submitted by

TRECO
10906 MONITOR-MCKEE ROAD NE
WOODBURN, OREGON 97071

to use the waters of PUDDING RIVER, a tributary of MOLALLA RIVER, for IRRIGATING 76.5 ACRES.

The right to be transferred, as evidenced by Certificate 14423, was perfected under Permit 13084 with a date of priority of JUNE 22, 1938. This right is limited to 0.60 cubic foot per second, if available at the original points of diversion, or its equivalent in case of rotation, measured at the point of diversion from the source.

The right to be transferred, as evidenced by Certificate 16877, was perfected under Permit 15399 with a date of priority of NOVEMBER, 30, 1942. This right is limited to 0.364 cubic foot per second, if available at the original points of diversion, or its equivalent in case of rotation, measured at the point of diversion from the source.

The right to be transferred, as evidenced by Certificate 16879, was perfected under Permit 15399 with a date of priority of NOVEMBER 30, 1942. This right is limited to 0.216 cubic foot per second, if available at the original points of diversion, or its equivalent in case of rotation, measured at the point of diversion from the source.

The original points of diversion are located as follows:

LOT 3 (NE 1/4 SW 1/4), LOT 4 (SE 1/4 SW 1/4) and SW 1/4 SE 1/4, SECTION 29; NW 1/4 NE 1/4, SECTION 32, T 5 S, R 1 W, W.M.

The new points of diversion are located as follows:

NE 1/4 NE 1/4, NE 1/4 SE 1/4, SECTION 32, T 5 S, R 1 W, W.M.; 640 FEET SOUTH AND 1220 FEET WEST, 3040 FEET SOUTH AND 1250 FEET WEST, BOTH FROM THE NE CORNER OF SECTION 32.

The amount of water used for irrigation under priority date of June 22, 1938, is limited to a diversion of ONE-FIFTIETH of one cubic foot per second (or its equivalent) and 1.0 acre-foot for each acre irrigated during any 30 day period and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The amount of water used for irrigation under priority date of November 30, 1942, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

NE 1/4 NE 1/4	0.5 ACRE	0.3 ACRE
NW 1/4 NE 1/4	27.5 ACRES	8.1 ACRES
SW 1/4 NE 1/4		29.5 ACRES
NE 1/4 NW 1/4	1.0 ACRE	
NE 1/4 SE 1/4		1.0 ACRE
NW 1/4 SE 1/4		7.6 ACRES

SECTION 32

TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described.

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 1993.
2. The quantity of water diverted at the new points of diversion, shall not exceed the quantity of water available at the original points of diversion.
3. When required by the Department, the water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. The following former place of use shall no longer be irrigated as a part of this water right:

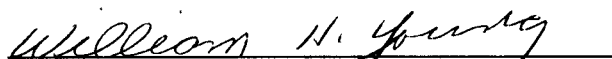
	<u>JUNE 22, 1938</u>	<u>NOVEMBER 30, 1942</u>
NE 1/4 SW 1/4		0.6 ACRE
AS PROJECTED WITHIN DLC 44		
LOT 3 (NE 1/4 SW 1/4)		7.9 ACRES
LOT 4 (SW 1/4 SW 1/4)		2.9 ACRES
LOT 4 (SE 1/4 SW 1/4)	6.6 ACRES	15.0 ACRES
SW 1/4 SE 1/4	1.8 ACRES	0.5 ACRE
SECTION 29		

NW 1/4 NE 1/4	0.2 ACRE	
NE 1/4 NW 1/4	0.8 ACRE	2.8 ACRES
SECTION 32		

TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

Certificates 14423, 16877 and 16879 were cancelled by orders of the Water Resources Director dated March 9, 1992, because portions of said water rights were abandoned by their owners. When satisfactory proof of the completed changes is received, new certificates confirming this water right will be issued.

WITNESS the signature of the Water Resources Director, affixed MARCH 9, 1992.



 William H. Young

Recorded in Special Order Records at Volume 46, Page 140